

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

TWENTY-THIRD LEGISLATURE

OF THE

S T A T E O F M A I N E ,

A. D. 1843.

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Published by the Secretary of State, agreeably to Resolves of June 28, 1820, February 26, 1840, and March 16, 1842.  
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1843.

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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE,

1843.

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**Chapter 93.****CHAP. 93.**

AN ACT to define the limits of agricultural societies in the county of Kennebec.

*Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :*

SECT. 1. All the towns in said county, west of Kennebec river, except Gardiner, Hallowell, Augusta, Sidney and Waterville, constitute the limits of the Kennebec county agricultural society ; and all the towns and plantations, in said county, east of Kennebec river, together with Gardiner, Hallowell, Augusta, Sidney and Waterville, on the west side of said Kennebec river, constitute the limits of the Kennebec central agricultural society.

Limits of Kennebec agricultural societies defined.

SECT. 2. This act shall take effect from and after its approval by the governor.

[Approved March 20, 1843.]

**Chapter 94.**

AN ACT relating to Royall's river.

*Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :*

The right to run steam boats on Royall's river in North Yarmouth, is granted to James C. Hill and William Thomas, jr., exclusively for eight years, provided they set a steam boat to running on said river within two years after the passage of this act.

Right to run steam boats on Royall's river, granted for eight years.

[Approved March 20, 1843.]

**Chapter 95.**

AN ACT to incorporate the Parsonsfield Mutual Fire Insurance Company.

*Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :*

SECT. 1. Rufus McIntire, Gilman L. Bennett, John Morrill, John P. Bennett, Tobias Ricker, Josiah P. Gilman, Lorenzo Redman and their associates and successors, being owners of buildings, shall be a corporation under the name of the Parsonsfield Mutual Fire Insurance Company, who shall keep their office at Parsonsfield, and enjoy all the privileges and powers incident to such corporations.

Corporators.

Name.

Office at Parsonsfield.

**CHAP. 95.**

Majority to decide.

Each member entitled to as many votes as he has policies.

To vote by proxy.

To choose such officers as they see fit.

No policy to be issued until \$50,000 is subscribed to be insured.

Time policy may run.

Kind of property that may be insured.

Amount insured not to exceed three fourths of the value of property.

Assessments to pay losses.

Investment of monies belonging to the corporation.

Rights of the insured at the expiration of their policies.

When loss by fire is sustained, notice in writing to be given.

Duty of officer notified.

If sufferer does not acquiesce in such decision, he may bring an action.

If plaintiff is defeated, to pay costs.

SECT. 2. At all meetings of said corporation every matter shall be decided by a majority of votes, each member having as many votes as he has policies, with the right of voting by proxy ; and such corporation may choose such officers, and for such length of time as they may deem necessary ; but no policy of insurance shall be made until the sum subscribed to be insured, shall amount to fifty thousand dollars.

SECT. 3. Said corporation may insure for any term, from one to ten years, any house or other building, household furniture and goods, against damage arising to the same, by fire originating in any cause, other than by design in the insured, and to any amount not exceeding three fourths of the value of the property insured. And in case any member shall sustain damage by fire, over and above the then existing funds of the corporation, the corporation, or such of its officers as shall by vote be designated for that purpose, shall assess such further sum or sums upon each member, as may be in proportion to the sum by such member insured, and at the rate of hazard originally agreed on.

SECT. 4. The monies of said corporation shall be invested in the stock of some incorporated bank, stock of the United States, or of this state, or in notes or bonds secured by mortgages. And each of the insured shall have a right at the expiration of his policy or policies, to demand and receive from the corporation, such shares of the remaining funds, in proportion to the sum by him actually paid in, as the corporation by its by laws existing at the time of making his policy shall determine.

SECT. 5. Whenever any person shall sustain any loss by fire, of the property so insured, he shall within sixty days next after such loss, and before any repairs or alterations are made, give notice in writing of the same to some officer of said corporation, or other person appointed thereby for that purpose, whose duty it shall be to view immediately where the fire happened, and inquire into the circumstances attending it, and determine in writing by him or them subscribed, the amount, if any, of the liability of said corporation for such loss ; and if the sufferer shall not acquiesce in such determination, such sufferer within sixty days next after such determination is made known, may bring an action at law against said corporation, in the county where the loss happened, and in case the plaintiff, in such action, shall not on trial recover, as damages, more than the amount determined as aforesaid, no cost shall be allowed the plaintiff, but the corporation shall recover its costs, and execution shall issue for the balance in favor of the party entitled to recover it.

SECT. 6. Said corporation shall be entitled to hold real and personal estate to any amount necessary for the purposes aforesaid ; and shall have power to make such by laws, rules, and regulations, as may be thought proper, not repugnant to the constitution and laws of this state.

Corporate powers.

SECT. 7. Whenever said corporation, shall make insurance on any buildings, such building, the land under the same and appurtenant thereto, shall be holden as security for such deposit money and assessments, as the person thus insured shall be liable to pay ; and the policy of insurance shall from the time it issues, create a lien on the said buildings and land therefor, which lien shall continue notwithstanding any transfer of the property : *provided*, it shall be expressed in the policy that the insurance is made subject to the lien created by law, and shall also be recorded in the registry of deeds of the county, wherein the estate insured may lie.

Lien on property insured for liabilities of owner.

Transfer of property not to affect such lien.  
Proviso.

SECT. 8. If any member of said corporation obtaining insurances subject to the lien aforesaid, or in case of his decease, his legal representatives shall neglect for thirty days, next after the demand made to pay the deposit money or any assessment, he or they shall be liable to a suit of the corporation therefor in an action of the case, in any court of competent jurisdiction ; and the said corporation having obtained judgment and execution therefor, may cause such execution at their election, to be satisfied by sale and conveyance of the interest of the insured, in the building insured and land under the same and appurtenant thereto : *provided*, the officers having such execution, shall advertise the same in like manner as is provided by law for the sale of equities of redemption of real estate mortgaged ; saving to the owners thereof the right of redeeming the same at any time within one year, by paying the purchaser or his assignee the sum at which it was sold, with twelve per cent., interest thereon, deducting therefrom the rents and profits over and above the repairs and taxes.

Any member or his legal representative, liable to a suit, if he neglect to pay assessment or deposit money 30 days after demand.

If judgment and execution are obtained, execution may be satisfied on the property insured.

Proviso.

Right to redeem.

SECT. 9. Any two of the persons herein named, are authorized to call the first meeting by advertising the same two weeks successively in the newspaper printed at Saco.

First meeting, how called.

SECT. 10. The powers granted by this act, may be enlarged, restrained or annulled, at the pleasure of the Legislature.

Subject to legislature.

[Approved March 20, 1843.]